

Remarks

Entry of the foregoing and reconsideration of the application identified in caption as amended, pursuant to and consistent with the Rules of Practice in Patent Cases, and in light of the remarks which follow, is respectfully requested.

By the present amendment, claims 1-11 and 15-21 have been amended so that claims 1-11, and 15-21 will remain pending.

The specification has been amended to correct typographical errors noted by the Examiner. Withdrawal of the objection to the specification for informalities is respectfully requested.

Claims 1, 2, 4, and 11 have been objected to for informalities. Claims 1, 2, 4, and 11 have been amended to correct a typographical error relating to the term amino acid. Claim 11 was further amended to correct a typographical error relating to the term cyclodextrins. Withdrawal of the objection of claims 1, 2, 4, and 11 based on informalities is respectfully requested.

Claims 1-11 and 15-21 stand rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. This rejection is respectfully traversed.

Claims 1 and 11 have been amended to point out that the quaternary formulation includes "propolis" as an active substance and includes "glycyrrhizate" as a sweetening agent. Accordingly, the presence of propolis and glycyrrhizate is required.

Moreover, claims 1-11 and 15-21 have been amended to recite "composition" in the singular and "powder" in the singular to more particularly point out the present invention.

The term "finely divided" has been deleted from all claims.

Claims 1 and 11 have been further amended to recite a composition comprising a quaternary formulation. The quaternary formulation contains the four listed substances and is limited thereby. The composition, however, is open to ingredients in addition to the quaternary formulation as indicated by the transitional phrase comprising.

Claims 15-17 have been amended to recite that the composition further comprises suitable excipients or diluents or combination thereof, particularly pointing out that the composition includes one or the other or both groups.

Accordingly, for at least the reasons noted above, claims 1-11 and 15-21 meet the requirements of 35 U.S.C. § 112, second paragraph, for definiteness. Withdrawal of the record rejection and allowance of said claims is respectfully requested.

Claims 15-18 and 21-21 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. This rejection is respectfully traversed.

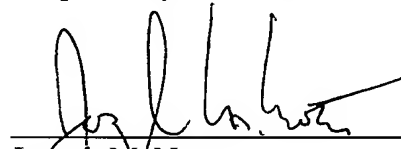
Claims 15-21 have been amended to recite that the composition further comprises suitable excipients or diluents or combination thereof. Thus, the composition comprises a quaternary formulation in addition to suitable excipients or diluents or combination of excipients and diluents. The excipients and diluents do not form part of the quaternary formulation, which is required to be in powder form.

Dietary supplements, parapharmaceuticals, and dermocosmetics are art recognized terms. A person skilled in the art to which each pertain would know what ingredients would be encompassed by the terms excipients and diluents, for such uses. See page 6, line 21 through page 7, line 12 of the specification. These ingredients are standard ingredients and clearly within the knowledge of one skilled in the art. Moreover, such a person would be able to incorporate the claimed powdered quaternary formulation in a product of the form set forth in claims 18, 20, and 21 for such uses without undue experimentation. The incorporation of powdered ingredients within such formulations is also clearly within the knowledge of one skilled in the art. Examples 5-13 provide a roadmap of how such products are formulated. As such, the specification would enable one skilled in the art to make and use the invention.

Accordingly, withdrawal of the record rejection of claims 15-18 and 20-21 for failing to comply with the enablement requirement and allowance of said claims is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is hereby earnestly solicited.

Respectfully submitted,



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Ruth R. Smith